

Ballarat Station Precinct Redevelopment

20(4) Amendment Request

Draft Planning Scheme Amendment documentation

November 2015



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1. INTRODUCTION

This report has been prepared by the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) and the City of Ballarat (Council) to outline options to amend the Ballarat Planning Scheme to facilitate the Ballarat Station Precinct Redevelopment.

Specifically the Amendment is to facilitate the implementation of a number of elements of Stage 1 of the *Ballarat Station Precinct Master Plan, 2014* including adaptive re-use of the Heritage Goods Sheds, associated commercial development opportunities and public realm and transport improvements (the Project). The State Government has committed \$25 million towards delivery of the Project in partnership with the private sector.

The objective for the planning process implemented by the Amendment is to be timely, efficient, embed a degree of flexibility, and provide certainty to all stakeholders and potential private sector partners on the planning framework as early as possible in the process. It is intended to make the Minister for Planning the responsible authority for future planning approvals for the Project, subject to his agreement.

The amendment does not need to include heritage approval for the refurbishment and re-use of the Goods Shed as this will be subject to a separate approvals process through Heritage Victoria as the site is included on the Victorian Heritage Register.

Two draft Planning Scheme Amendment options have been identified, which are outlined in more detail at Section 6 of this report. Copies of the two draft sets of Planning Scheme Amendment documents are included at Attachments 1 and 2 of this report.

The options are:

Option 1: Integrated development outcome approach

This would involve rezoning all of the land that contains the public and private elements of the Project from the Public Use Zone (PUZ4 - Transport) to a new zone that is more suited to facilitating urban renewal and a mix of commercial land uses. The new zone could be used in conjunction with a Development Plan Overlay (DPO) to guide development outcomes, or could be a standalone provision that contains development plan requirements.

Option 2: Commercial development site only approach

This would involve rezoning only that part of the land which is to be sold to and developed by the private sector and retaining all remaining land in the PUZ4. The new zone could be used in conjunction with a Development Plan Overlay to guide development outcomes. The DPO boundary would include the commercial development site and would also ideally extend into the surrounding station land where the private sector is required to deliver public realm or transport improvements as part of the Project.

There may be variations to these options or other options that emerge through the stakeholder and community consultation process or the Advisory Committee process which could ultimately be deemed more appropriate.

The Amendment Process

Council wrote to the Minister for Planning on 29 October 2015 seeking a Ministerial amendment using Section 20(4) of the *Planning and Environment Act 1987* (P&E Act) to facilitate the Ballarat Station Precinct Redevelopment.

Council has asked the Minister to establish an Advisory Committee to provide advice on the most appropriate Planning Scheme Amendment for the project, including whether or not the Minister for Planning should be the responsible authority for approving the development of the site under the amended controls to be introduced into the Ballarat Planning Scheme through the Amendment.

Council has also asked the Minister to consult with the community and key stakeholders on a potential concept scenario for the land, on heritage concerns and considerations, and on the range of planning controls and mechanisms available to best achieve the adopted vision for the land. This consultation will be undertaken as part of the Advisory Committee process.

2. BALLARAT STATION PRECINCT MASTER PLAN

The *Ballarat Station Precinct Master Plan, 2014* was prepared in partnership between the City of Ballarat, VicTrack and the former Department of Transport, Planning and Local Infrastructure and incorporates community input gathered at a series of workshops in 2013 and 2014 and the City of Ballarat’s ‘Have Your Say’ website forum. The Plan builds on previous investigations including the *Ballarat Activity Centre Strategy, 2012* and the *Ballarat Railway Station Masterplan, 2002*.

The Master Plan highlights the issues with the existing Station Precinct, which include integration with the CBD, street presence and activation, under-utilised or vacant building stock, heritage buildings in decay, traffic congestion, car parking, and barriers to pedestrian and cycling movement.

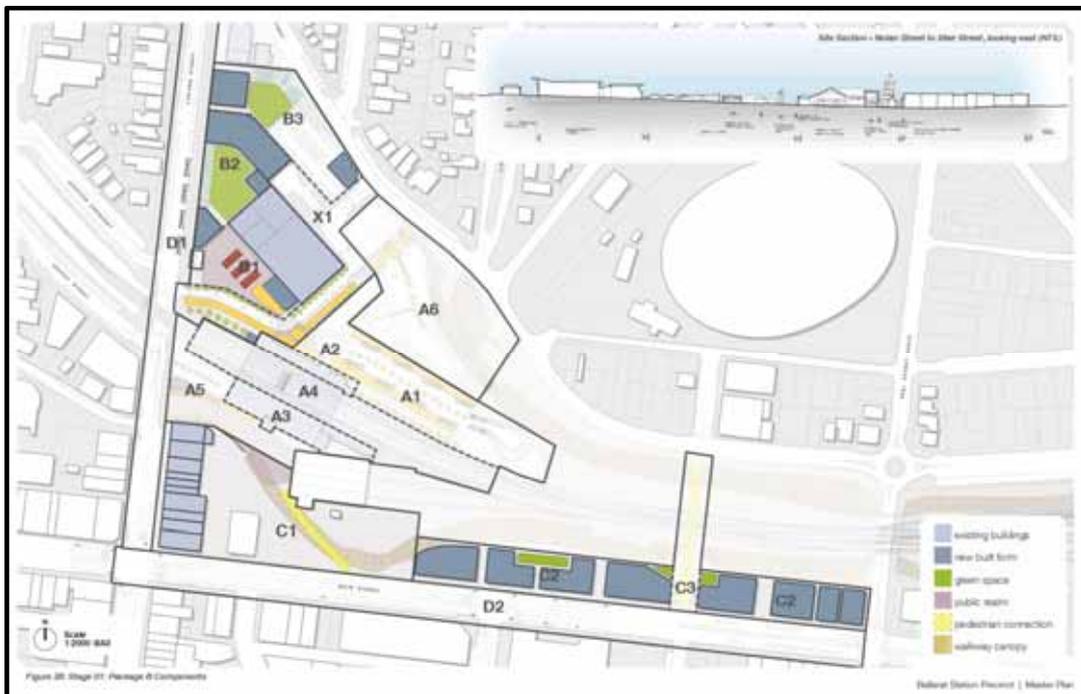
The Master Plan concludes that revitalisation of the station precinct will improve the land use and transport outcomes, stimulate the Ballarat CBD economy and provide broad community benefits.

Delivery of the Master Plan is broken into two stages:

- Stage 1: Short term (2014-2023)
- Stage 2: Medium and long term (2024+)

Stage 1 includes re-use of the Heritage Goods Shed for public uses such as exhibition or performing arts facility, associated development opportunities and car parking along Lydiard Street and new public realm and forecourt areas along Lydiard Street. Stage 1 also includes longer term commercial development opportunities on private land on Mair Street which are not part of this project.

Stage 1 Master Plan Components



3. THE PROJECT

The Victorian Government has committed \$25 million from the Regional Jobs and Infrastructure Fund (RJIF) towards the delivery of elements of Stage 1 of the redevelopment of the Ballarat Station Precinct. The funding will enable planning and investigation, as well as the initial refurbishment of the heritage Goods Shed and surrounds, and a market engagement process to seek interest from private sector partners to develop a hotel and conference centre/exhibition centre.

The scope includes:

- Structural and heritage refurbishment of the Goods Shed (for adaptive re-use as an exhibition/conference centre) and associated parking;
- New public forecourt area and public open space areas;
- A new internal road and associated intersections to cater for hotel and conference centre loading and future bus access;
- The release of a development site/s to the market, for a potential 4 star hotel that will integrate with conference/exhibition facilities in the refurbished Goods Shed; and
- Transport enabling works including new commuter car parking areas, kiss and ride and taxi facilities and pedestrian linkages to the Station buildings.

An Expression of Interest process was launched by the Minister for Regional Development on 9 November 2015 to invite interested parties to put forward their vision for the Station Precinct. The Expressions of Interest will run for 5 weeks and close on 17 December 2015.

Following assessments of submissions a more detailed Request for Proposals will commence with interested parties in early 2016 with the aim to enter into a Development Agreement with a successful private consortia by September 2016.

Site Investigations

Since July 2015 VicTrack and Regional Development Victoria (RDV) have been undertaking commercial feasibility and site due diligence work including market sounding, heritage conservation, structural, environmental, geotechnical and engineering studies to inform Government about potential redevelopment scenarios and key considerations.

This work has resulted in a 'Schematic Design Testing - Potential Concept Scenario' Plan and 'Public Realm Concept' Plan which will be used to test private sector development proposals and has informed the preparation of the proposed planning controls. The Potential Concept Scenario and Public Realm Concept are included at **Attachments 3 and 4**. These plans should be interpreted as one potential way to deliver the Project elements and not an attempt to lock in a particular site layout configuration or building/car park footprints. It is important that any future planning controls are written to allow for private sector innovation during the market engagement process, to deliver the Project in a different or superior way.

Tailored Planning Process

DEDJTR has been working with Council and the Department of Environment, Land, Water and Planning (DELWP) to design a tailored planning approvals process for the project that will provide for efficient timelines, a level of certainty and confidence to the private sector, and opportunities for community and stakeholder engagement.

A two phase planning process has been developed which includes:

- Phase 1 (now til September 2016) – State Government and Council implement an appropriate set of planning controls to facilitate the Project.
- Phase 2 (September 2016 - March 2017) – the successful private consortia identified through the market engagement process prepares all necessary documentation and is responsible for obtaining development approval.

4. THE LAND

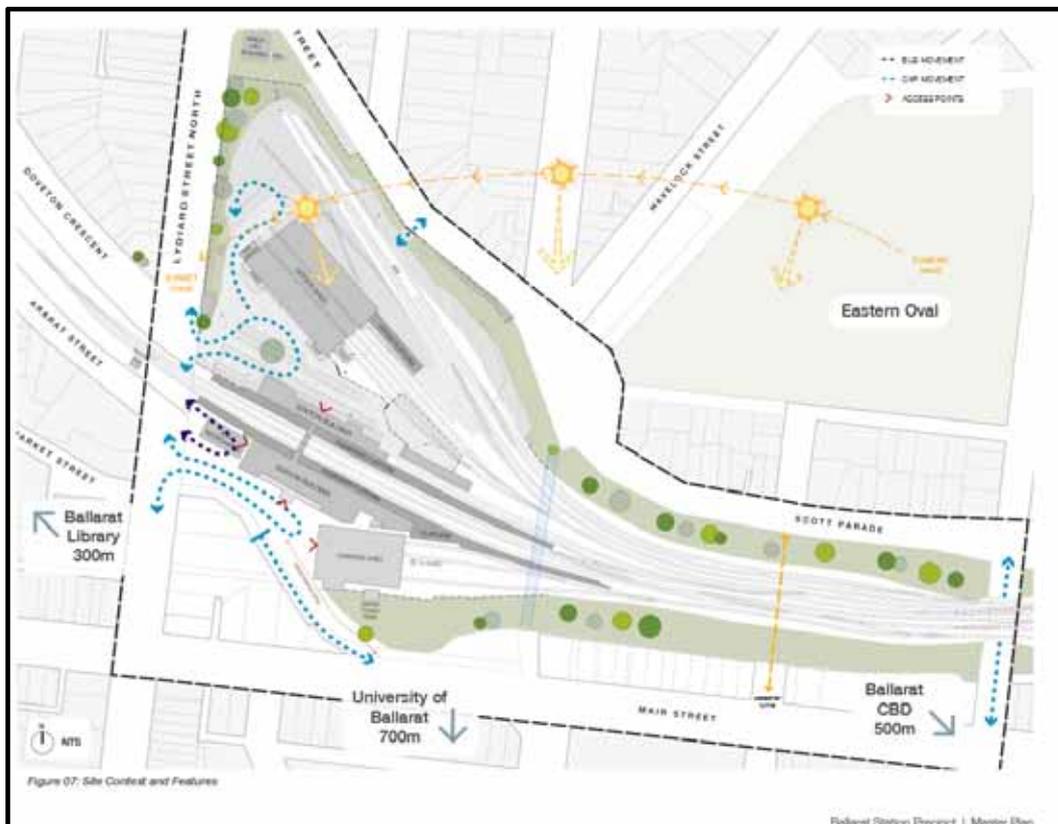
The project land sits within the broader context of the railway station landholding and the Ballarat Railway Station Precinct which includes private landholdings as well as VicTrack freehold land and Crown land.

Station Precinct

The Ballarat Railway Station Precinct as defined in the *Ballarat Station Precinct Master Plan, 2014* is roughly triangular in shape and is bounded by Lydiard Street to the west, Nolan Street to the north and a curving embankment to the south.

The Precinct is approximately 13 hectares and includes the station building (north and south), rail infrastructure, bus interchange, taxi area, car parking and bicycle facilities and retail and commercial uses fronting Lydiard Street and Mair Street.

Station Precinct Map



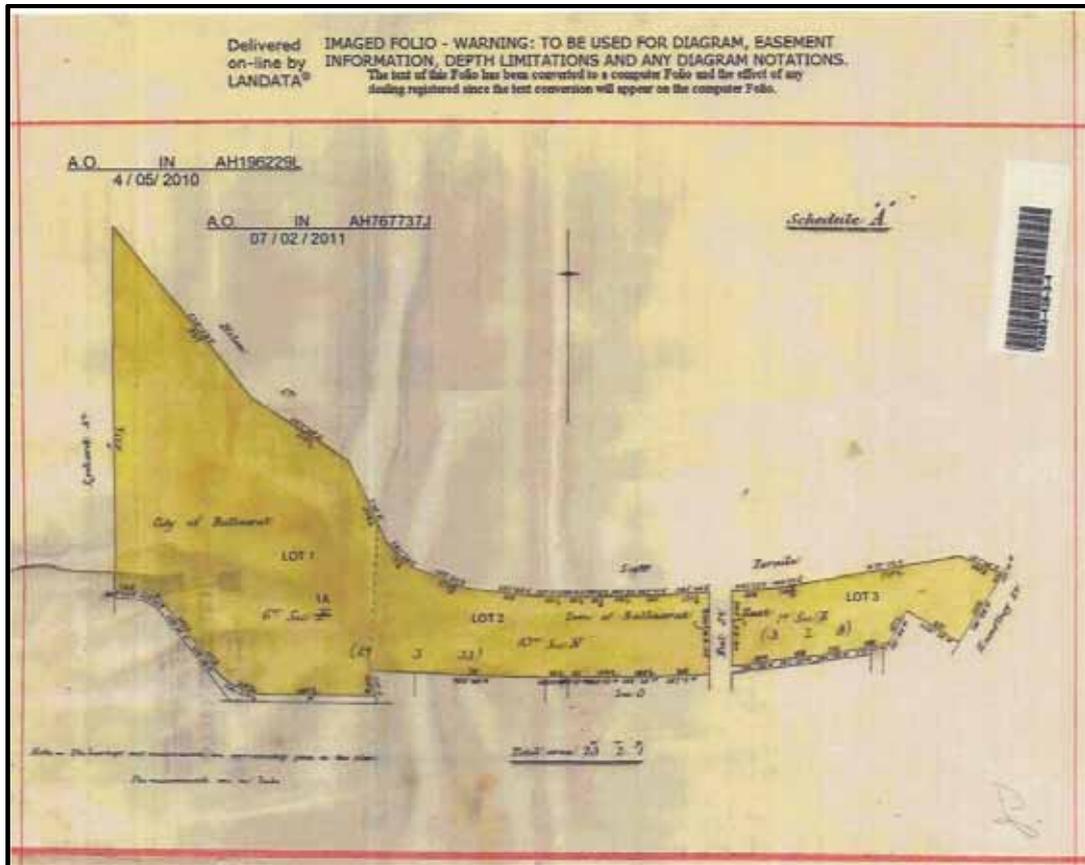
Station land

The Station land within the broader Precinct is contained in one certificate of title which is comprised of three parcels known as Lots 1, 2 and 3 on Title Plan 868581V (Volume 02863 Folio 428).

The title indicates the Station land is owned by VicTrack and includes a notice under Section 16(2) of the Historic Buildings Act, relating to the Victorian Heritage Register.

The Station land includes a narrow strip of Crown land along the Nolan Street boundary which is currently vested in VicTrack.

Title plan



The Station land has a number of addresses including:

- 49 Humffray Street
- 140 Lydiard Street North
- 140-202 Lydiard Street
- 140A Lydiard Street
- 160 Lydiard Street
- 202 Lydiard Street

Land Clearance Area

Within the Station land, VicTrack has identified an area of land for potential redevelopment and sale which is subject to land clearance by the Department of Economic Development, Jobs, Transport and Resources. The entire land clearance area sits within Lot 1 of the Station title.

The land clearance Area is approximately 1.8 hectares located in the north west portion of the site. The land includes railway lots 125, 129, 177, 180, a portion of lot 167 and a portion of land with a V/Line Regional Infrastructure Lease.

The land clearance area has been maximised to provide flexibility for re-development opportunities. It is not proposed or expected that the whole land clearance Area will be sold/transferred to the private sector.

Indicative Land Clearance Area Map



The Project is contained entirely within Lot 1 of the Station title. Some elements of the Project extend outside of the land clearance area, specifically the internal road, some of the public realm improvements and the replacement commuter car parking.

5. EXISTING PLANNING PROVISIONS

The Station Land is currently within a Public Use Zone 4 (PUZ4) for Transport.

Uses not requiring a permit under the PUZ4 include a Railway station, railway, tramway and any other uses for the purpose of transport carried out by or on behalf of the public land manager (VicTrack).

All other uses including the commercial uses contemplated as part of the Project (Accommodation (principally Residential hotel), Function Centre, Retail premises such as Food and drink premises and other retail complimentary to a Residential hotel) would require a permit. There are no prohibited land uses.

A permit is required for all buildings and works not carried out by or on behalf of the public land manager and for subdivision.

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager.

Zoning Map

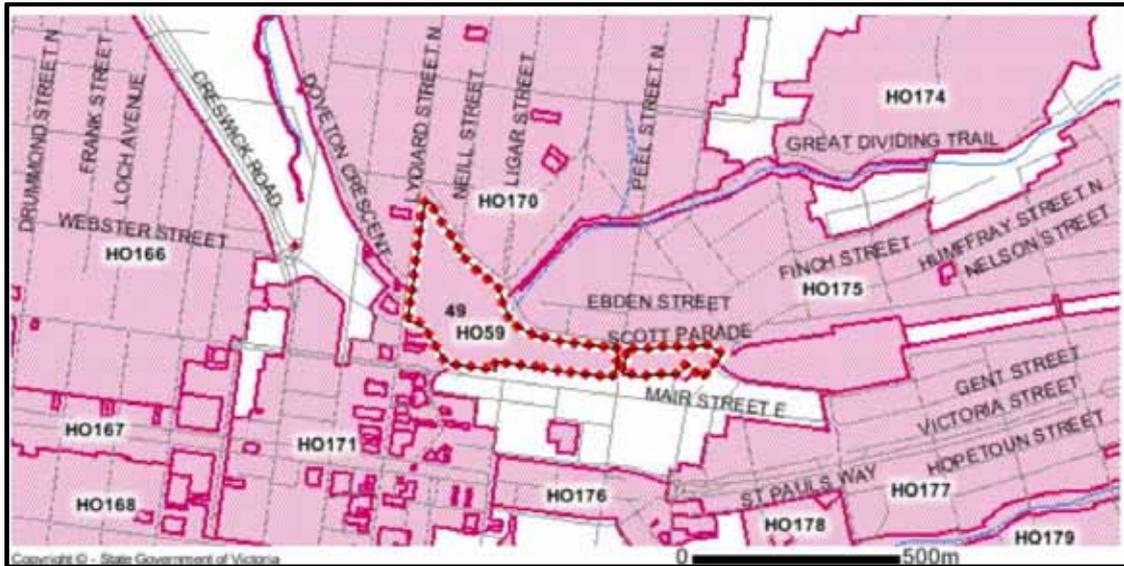


The site is included on the Victorian Heritage Register (VHR HO902) and is covered by the Heritage Overlay Schedule (HO59 – Ballarat Railway Complex).

A planning permit is not required under the Heritage Overlay to develop a heritage place which is included on the Victorian Heritage Register, as approval is required from Heritage Victoria. A permit is required from Heritage Victoria for any subdivision.

The Heritage Overlay also allows a permit to be granted to use a heritage place (including a heritage place which is included on the Victorian Heritage Register) for a use which would otherwise be prohibited.

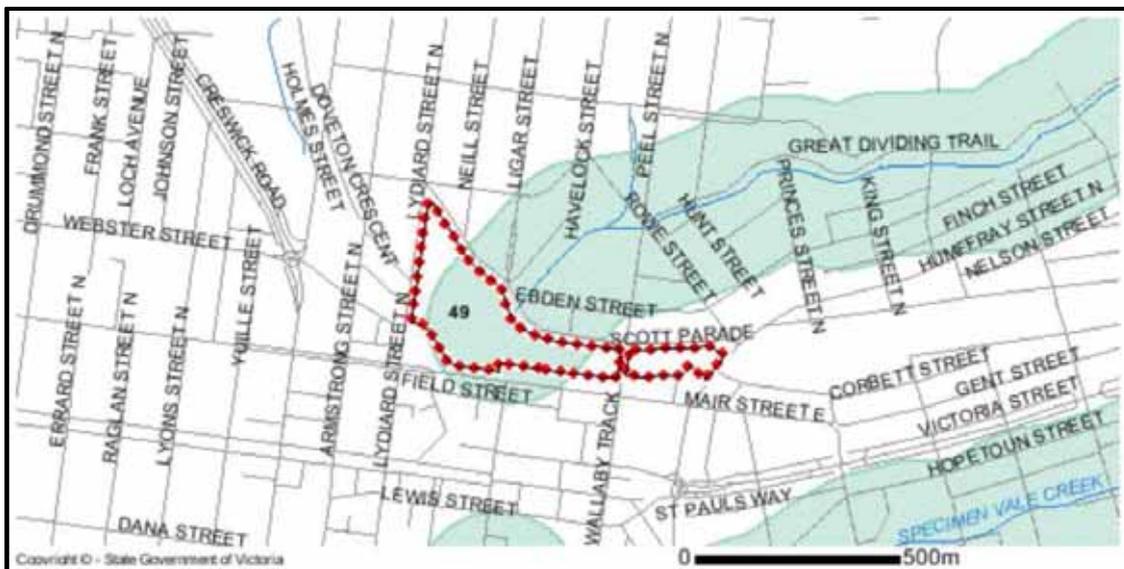
Heritage Overlay Map



The land is within an area of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007.

There is a requirement for a mandatory Cultural Heritage Management Plan (CHMP) prior to issue of Statutory Approval for the proposed development. The proposed works are defined as a high impact activity and significant ground disturbance cannot be demonstrated for the entirety of the area of cultural heritage sensitivity in the study area.

Area of Cultural Heritage Sensitivity Map



6. AMENDMENT CONSIDERATIONS

The two draft Planning Scheme Amendment options to facilitate the Ballarat Station Precinct Redevelopment have been identified taking into account the following considerations:

- Why is an amendment required for the Project?
- What does the amendment need to achieve?
- What land should be included in the amendment?
- When is the amendment required to be in effect?

Why is an amendment required for the Project?

A permit application could be made under the existing PUZ4 and HO59 for all anticipated elements of the Project. All land uses other than transport related uses would be Section 2 – permit required uses under the PUZ4. A permit would be required for buildings and works and any other triggers contained in the Clause 52 Particular Provisions. It is anticipated that subdivision approval will also be required to create a new land parcel that could be sold to the private sector. An application for a permit by a person other than the public land manager (VicTrack) must be accompanied by the written consent of the public land manager.

An amendment is not technically required to enable planning permission to be sought for the Project. However there are compelling reasons in support of using an amendment process rather than a permit process.

Firstly, the Government is expected to sell part of the land clearance area to the successful private developer identified through the market engagement process.

Ministerial Direction No. 1 The Form and Content of Planning Schemes states that a planning scheme may only include land in a Public Use Zone, a Public Park and Recreation Zone or a Public Conservation and Resource Zone if the land is Crown land, or is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.

It is also State Government policy that public land should be removed from a public purpose zone prior to sale, unless specific consent is obtained from the Government Land Monitor (GLM).

GLM approval is required for any public land transaction with a value greater than \$750,000 and it is Government policy as set out in the *“Policy and Instructions for the Purchase, Compulsory Acquisition and Sale of Land, August 2000”* that:

“The most appropriate zoning for the land must be established and put in place before the sale to ensure that the highest possible return is achieved. An agency must not offer land for sale where the land is zoned for a public purpose under a planning scheme or where land is inappropriately zoned unless approval is obtained from the GLM.

Agencies must not create any expectation with prospective purchasers that they will be able to utilise the land for a purpose other than that which is permitted under the appropriate zone.

It is recognised that there may be instances where rezoning is impractical or uneconomic. These circumstances can be discussed with the GLM for resolution."

In this instance it is not considered impractical or uneconomic to rezone the land prior to sale. In fact a rezoning would offer a number of benefits, including creating clear and realistic expectations with the prospective purchaser and the community about what the land can be used for. A rezoning as part of an amendment process also provides an opportunity to implement planning controls which are designed to facilitate the Project.

Market sounding conducted by CBRE on behalf of DEDJTR in July 2015 indicated that certainty about the planning process and market confidence in a streamlined approvals process is critical to attract the desired calibre of responses to the market engagement process.

The existing PUZ4 is not intended to facilitate commercial development outcomes or a mix of land uses not directly related to transport, and these are key objectives of the Project. The existing controls do not include any mechanisms to simplify or streamline planning approval processes for the Project, for example by consolidating permit requirements into one provision (or a minimal number of provisions) or providing exemptions from third party notice and appeal rights.

What does the amendment need to achieve?

The objective is to implement a planning framework for the project which:

- Recognises the genuine state and regional significance of the project and seeks to facilitate a high quality outcome;
- Clearly expresses the expected development parameters and design objectives for the project, based on the Ballarat Station Precinct Master Plan vision and the 'Potential Concept Scenario' and 'Public Realm Concept' plans;
- Responds to any relevant recommendations of VicTrack's site investigations, for example heritage conservation and contaminated land assessments.
- Incorporates any relevant land clearance requirements of DEDJTR (Transport Division), PRV and V/Line which the private sector developer will be responsible for, for example replacement commuter car parking;
- Allows a degree of flexibility to enable the State Government to consider innovative development concepts that could emerge from the market engagement process, and
- Offers the successful private sector developer an efficient and uncomplicated development approvals process (where their proposal complies with the development parameters and design objectives set out in the new planning framework);
- Does not affect VicTrack's ability to use and develop any of its land for transport purposes without the need for a planning permit (consistent with the PUZ4)

What land should be included in the Amendment?

There are a number of options for where new zone and/or overlay provisions could be applied to facilitate the project.

After considering various options it appears inevitable that subdivision will be required before the amendment takes effect, to create at least one new lot and potentially two new lots. To subdivide

the land a planning permit would be required from the City of Ballarat (as the existing responsible authority) and a permit from Heritage Victoria as the site is on the Victorian Heritage Register.

Key considerations include:

- It is widely accepted that it is poor planning practice to have two zones applying to the one lot, i.e. zone boundaries should align with lot boundaries. This position is supported in the *Manual for the Victoria Planning Provisions 1996* published by the then Department of Infrastructure as a guide to the preparation of new format planning schemes and the contents and concepts of the Victoria Planning Provisions. With respect to placement of zone boundaries the Manual states the following:
The VPP does not contain special provisions for land in two zones. Zone boundaries should therefore align with title boundaries or other defined features such as road centrelines or watercourses, unless there is a deliberate reason not to.
- The need to protect VicTrack's interests as the public land manager by preferably retaining all land that is not part of the commercial development and not proposed to be sold to the private sector in the PUZ4, or at least ensuring that VicTrack can continue to use and develop its land for transport purposes without the need for a planning permit.
- The benefits of a holistic approach to site planning and delivery of the public and private elements of the Project to ensure a cohesive Station Precinct and consistency in terms of high quality design and public realm outcomes.

The scenarios for where new zone and/or overlay provisions could be applied would appear to be:

A The entire Ballarat Station Precinct identified in the Ballarat Station Precinct Master Plan

This option would be preferable if the objective was to implement the Master Plan recommendations in their entirety. This is outside of the scope of the current market engagement process which is focussed on elements of Stage 1 of the Master Plan. This option would also include numerous land holdings that do not belong to VicTrack/the Crown and would therefore not be appropriate for a 20(4) process as it affects other land owners' interests.

B All Stage 1 land identified in the Ballarat Station Precinct Master Plan

Similar to the above Option1, Stage 1 initiatives include a number of transport related initiatives (e.g. upgrading station buildings) which are not part of the scope of the current market engagement process. Stage 1 also includes commercial development of a number of properties along Mair Street which are not owned by VicTrack/the Crown and not part of the scope of the Project.

C Only the land that would be sold by VicTrack to the private sector developer

This option would involve the hotel site, the car parking area for the hotel site and potentially the Goods Shed. This would require subdivision to create a new lot that a zone could be applied to and that could be sold to the private sector. This option does not take into account the Goods Shed forecourt public realm outcomes, the internal road and land clearance requirements of DEDJTR such as replacing commuter car parking which the private sector will

be responsible for delivering as part of the Project, but which will remain in VicTrack ownership.

D All the elements of Stage 1 of the Ballarat Station Master Plan that the private sector developer will be required to deliver:

This option would include the hotel site, car parking for the hotel site, the Goods shed and forecourt, the internal street and land clearance requirements of DEDJTR including replacing commuter car parking. A key benefit of this option is promoting integrated planning and design outcomes for the Precinct. This option would require a subdivision to create a new lot boundary that takes in all of the Project's delivery requirements for the private sector.

Scenarios C and D would appear to be the two more sensible scenarios for the Project.

A variation of Option C would be to rezone only the land that would be sold by VicTrack to the private sector developer, but apply an overlay such as the Development Plan Overlay to a wider area which takes in all of the Project's delivery requirements for the private sector.

When is the amendment required to be in effect?

The intention is to consult on draft planning controls as early as possible in the market engagement process to provide transparency to the market and to the community about development parameters and design objectives for the project, and the planning approval process that the successful private consortia would be subject to.

The new planning controls to be introduced through the amendment do not need to be in effect until the Government has completed the market engagement process and signed a Development Agreement with a successful private sector developer (currently estimated September 2016).

Depending on which Planning Scheme amendment option is recommended, a planning permit application to subdivide the land to create a new lot or lots may be required immediately prior to the amendment taking effect.

7. AMENDMENT OPTIONS

As identified in Section 1 of this report, two potential Planning Scheme Amendment approaches have been identified. Copies of the two versions of draft Amendment documents are included at Attachments 1 and 2 of this report.

The options are:

- Option 1: Integrated development outcome approach
- Option 2: Commercial development site only approach

As noted in Section 1, there may also be variations to these options or other options that emerge through the stakeholder and community consultation process or Advisory Committee process that are ultimately deemed more appropriate.

Both options could include the Development Plan Overlay (DPO) to establish clear development parameters and design objectives deliver a streamlined planning approvals process for the Project. The DPO could be applied over all of the land that contains the Project's delivery requirements for the private sector. However Option 1 could achieve the same outcome with a single Planning Scheme provision by integrating development plan requirements into a new special purpose zone schedule.

Whether through the DPO or a special purpose zone, requirements for a development plan can be drafted to reflect the relevant contents of the Ballarat Station Precinct Master Plan, the Potential Concept Scenario and Public Realm Concept, and to ensure that a detailed development plan is prepared for the site which responds to the issues identified in VicTrack's site investigations and DEDJTR's (Transport) land clearance requirements.

It is also proposed that under either amendment option the Minister for Planning would become the responsible authority for future planning approvals for the project. This is in recognition of the genuine State and regional significance of the project.

Option 1: Integrated development outcome approach

- Special Use Zone (SUZ) with integrated development plan requirements and Clause 52 requirements.
- Incorporated Document to switch off Clause 52 permit triggers
OR
- Special Use Zone (SUZ), and
- Development Plan Overlay (DPO)

The Victoria Planning Provisions (VPPs) include Special Purpose Zones which could be considered for this project including the Special Use Zone (SUZ), Comprehensive Development Zone (CDZ), Priority Development Zone (PDZ) and Activity Centre Zone (ACZ).

The land area involved in the Project is not of a size that would seem to warrant a CDZ, PDZ or ACZ, i.e. it is part of a Precinct and not a site of many hectares which will contains numerous Precincts. The Project is likely to include a discreet range of private land uses (Residential hotel, Convention

centre, Exhibition centre, and supporting Retail premises) and the preference is to have a development plan that can be amended over time to the satisfaction of the responsible authority without the need for a further Planning Scheme Amendment.

Given the complex nature of the site and the mix of proposed uses (including significant heritage elements, transport, public realm and private commercial uses), and the strategic location of the site between various zone boundaries, the site is considered a suitable candidate for the SUZ.

The SUZ in this instance can be tailored to effectively manage the anticipated uses, buildings and works and subdivision and to replicate any PUZ4 provisions relating to VicTrack land allowing VicTrack to use and develop the land for transport purposes without a planning permit.

The SUZ schedule can be drafted to include integrated development plan requirements. This option includes:

- Requiring the preparation and approval of a development plan prior to the commencement of subdivision, use or development;
- Including the desired mix of land uses as Section 1 permit not required uses provided they are generally in accordance with the approved development plan; and
- Exempting buildings and works generally in accordance with the approved development plan from the need for a planning permit.

The SUZ would also exempt uses and buildings and works carried out by or on behalf of VicTrack from the need for a planning permit.

Under this scenario the development plan is used in place of a permit application process. Therefore the development plan requirements within the SUZ need to include additional detail to what would be required for a DPO. The development plan within the SUZ needs to include a level of information consistent with what would be submitted with a permit application, such as detailed site plans and elevations and an operations management plan to ensure that proposed land uses can be regulated as required, eg hours of operation, noise and traffic management.

When used in conjunction with an Incorporated Document, the SUZ can effectively become a catch-all planning control. An Incorporated Document inserted at Clause 52.03 and Clause 81.01 of the Planning Scheme can be used to switch off other permit triggers and therefore third party notice and appeal requirements relating to Clause 52 Particular Provisions such as advertising signs, car parking and loading and unloading. These matters can be addressed in the SUZ development plan requirements and decision guidelines.

An SUZ with integrated development plan requirements and Clause 52 requirements has been drafted and is included at **Attachment 1**.

Alternatively the SUZ can be used in conjunction with a DPO. This would still exempt the Project from third party notice and appeal rights associated with use, development and Clause 52 Particular Provisions but does not deliver the benefit of a catch all planning control. Permit triggers and requirements would be contained within a number of zone, overlay and particular provisions. A draft of the lesser preferred variation of Option 1 which is an SUZ used in conjunction with a DPO is included at **Attachment 5**.

The SUZ has recently been used successfully in the Ballarat Planning Scheme for significant developments, including the Ballarat West Employment Zone (SUZ14). The current Amendment C185 (Ballarat Saleyards) proposes a SUZ15 which incorporates development plan requirements in lieu of a Development Plan Overlay, which has received support from an independent Planning Panel and Council.

The benefit of Option 1 is promoting integrated planning and design outcomes for the Precinct on both publicly owned and privately owned land.

Option 2: Commercial development site only approach

- Commercial 1 Zone (C1Z), and
- Development Plan Overlay (DPO)

Given the mix of land uses proposed, one of the VPPs Commercial Zones would seem appropriate rather than a VPP Residential Zone with a primary focus on residential development outcomes.

The Commercial 1 Zone would allow a permit to be granted for all of the anticipated commercial uses for the Project (Residential hotel, Convention centre, Exhibition centre, Retail premises) and the first purpose of the zone is consistent with the vision for the Project and the Ballarat Railway Station Precinct:

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

The use of a DPO in conjunction with the C1Z would mean that:

- A development plan is required to be prepared prior to the commencement of subdivision, use or development; and
- Permit applications under any provision of the Planning Scheme which are generally in accordance with the approved development plan are exempt from third party notice and appeal rights.

The DPO is a flexible tool that can be drafted to reflect the relevant contents of the Ballarat Station Precinct Master Plan, the Potential Concept Scenario and Public Realm Concept, and to ensure that a detailed development plan is prepared for the site which responds to the issues identified in VicTrack's site investigations and DEDJTR's (Transport) land clearance requirements.

The DPO would deliver the desired level of certainty to proponents and the community about what can happen on the land. A DPO is preferred rather than an Incorporated Plan Overlay (IPO), as an approved development plan can be amended over time to the satisfaction of the responsible authority without the need for a further Planning Scheme Amendment.

A key benefit of Option 2 is limiting the extent of land still owned by VicTrack that would be removed from the PUZ4. VicTrack would still be able to carry out its responsibilities as the public land manager under the PUZ4 without the need for planning permits. Any person other than the public land manager (ie the private sector developer) would trigger the need for a planning permit and therefore be subject to the DPO requirements to do anything on the C1Z land or the PUZ4 land.

The potential dis-benefit of Option 2 of disjointed planning and design outcomes for the Precinct between publicly owned land and privately owned land can be addressed by using the DPO to extend over all of the land that includes the Project's delivery requirements for the private sector.

Attachment 1

Attachment 2

Attachment 3

Attachment 4

Attachment 5
